UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/653,487	08/31/2000	Derrick Bell	SOFT-01002US2 SRM/SBS sbs	4809

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FLIESLER MEYER, LLP	POND, ROBERT M

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3625	

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DATE MAILED: 03/26/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) FROM
THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed
  after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any
  earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *31 August 2000*.

2a)☐ This action is **FINAL**.   2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is
closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-73* is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-73* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All   b)☐ Some * c)☐ None of:

      1.☐ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____.

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage
application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☒ Notice of References Cited (PTO-892)

2)☒ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3)☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
    Paper No(s)/Mail Date _____.

4)☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____.

5)☐ Notice of Informal Patent Application (PTO-152)

6)☐ Other: _____.

DETAILED ACTION

Specification

1.   The specification has not been checked to the extent necessary to determine

the presence of all possible minor errors. Applicant's cooperation is requested in

correcting any errors of which applicant may become aware in the specification.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102

that form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2.   **Claims 1-2, 7-9, 11-13, 21-23, 25, 39, 41, and 44-46 are rejected under 35**

USC 102(b) as being anticipated by OrderManger (a collection of prior art

describing OrderManger cited in PTO-892, Items: W-X).

OrderManger teaches all the limitations of Claims 1-2, 7-9, 11-13, 21-23, 25,

39, 41, and 44-46. For example, OrderManger discloses OrderManger

application server for extranet commerce that transforms traditional order

processing into a complete electronic channel. OrderManger discloses linking

supply chain partners, resellers, and customers to information in the company-

user's back office systems (Item: X, page 6). OrderManger further discloses:

- *Business modules provide function:* see system diagram for self-describing functionality provided to a user (e.g. User Enrollment) (Item: X, page 8).

- *Company-user selects modules:* add new capabilities (Item: X, page 7); modular "add-on" business functionality for commerce web sites supporting evolving business requirements, selecting "add-on" modules and optional "add-on" modules (e.g. product configurator) to support incremental phase-in of functionality over time (please note examiner's interpretation: "add-on" modules are independent from other "add-on" modules that are optional, the combination of "add-on" and optional "add-on" comprise the total set of business modules available) (Item: W, page 2).

- *Each module associated with templates; generic web pages:* implement "as is" or fit to specific business model (Item: X, page 7); see system diagram (e.g. HTML templates) (Item: X, page 8); user interface template (Item: W, page 2).

- *Look and feel:* use "as is" or enhance the standard product features by adding new capabilities (Item: X, page 7); offers an optional enhanced product configurator that helps users to pick the right products to build a complementary grouping of inter-connected items, and the new version supplies a second, standard "out-of-the-box" user interface template giving enterprises two very different options for branding the "look and feel" of

their application while still offering the option for a full customization (Item: W, page 2).

- *Web interface:* inherent in the system as disclosed in OrderManger is the displaying of information on a user's web browser in response to user requests via the user's web browser.

Pertaining to Claims 39, 41, and 44-46

Method claims are rejected based on the same rationale as noted above.

3. **Claims 72-73 are rejected under 35 USC 102(b) as being anticipated by Yen et al. (PTO-892, Item: XX).**

Yen et al. teach all the limitations of Claims 72-73. For example, Yen et al. disclose current developments in extranets, types of extranets, and extranet components (Item: XX, see at least pages 1-3). Yen et al. further disclose:

- *Windows NT:* web servers running on Unix or Windows NT (Item: XX, page 4).
- *Session ID:* prevent user clients from accessing the extranet from just knowing the URL (Item: XX, page 7).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

4.   **Claims 3-6, 16-17, and 20 are rejected under 35 USC 103(a) as being**

unpatentable over OrderManger (a collection of prior art describing

OrderManger cited in PTO-892, Items: W-X), in view of Tech Data (a

collection of prior art describing Tech Data's extranet, PTO-892, Items: U-

V).

Locate module

OrderManger teaches all the above as noted under the 102(b) rejection and

teaches a) conducting business up and down the supply chain using an extranet,

and b) implementing business module functionality (e.g. catalog search,

order/account management) (Item: X, page 8), but does not disclose a module to

identify a sales location. Tech Data teaches an Internet website that allows

computer resellers to shop online and place orders using Tech Data's extranet

(Item: U, see at least page 1). Tech Data further teaches providing sales

locations (e.g. Brazil, France) (see Item: V, pages 1 and 2). Therefore it would

have been obvious to one of ordinary skill at time of the invention to modify the

system of OrderManger to provide sales location functionality as taught by Tech

Data, in order to assist customers in finding a sales location, and thereby

increase sales revenue.

At Least one of: Site Builder Module

OrderManger teaches all the above as noted under the 102(b) rejection and

teaches a) conducting business up and down the supply chain using an extranet,

b) implementing business module functionality, and c) providing a third-party

front end (Item: X, page 8), but does not disclose a site builder module. Tech

Data teaches all the above as noted under the 103(a) rejection and teaches

creating a web site for a reseller connected to Tech Data's extranet and providing

the reseller's "look and feel" (e.g. reseller logo) (Item: U, see at least page 2).

Therefore it would have been obvious to one of ordinary skill at time of the

invention to modify the system of OrderManger to provide site builder

functionality as taught by Tech Data, in order to assist partners in connecting to

an extranet, and thereby increase sales revenue.

Loyalty module; Personalized buying opportunity

OrderManger teaches all the above as noted under the 102(b) rejection and

teaches a) conducting business up and down the supply chain using an extranet,

b) providing business module functionality, and c) making it easier for resellers

and customers to buy (Item: X, page 7), but does not disclose a loyalty module.

Tech Data teaches all the above as noted under the 103(a) rejection and teaches

the reseller receiving discounts and promotions specific to the reseller, and

further teaches the reseller, through its extranet web site, offering each customer

personalized buying opportunity services (e.g. different pricing and different

promotions for each customer) (Item: U, page 2). Therefore it would have been

obvious to one of ordinary skill at time of the invention to modify the system of

OrderManger to provide loyalty functionality as taught by Tech Data, in order to

attract and keep resellers and customers, and thereby sustain or increase sales

revenue.

5.   **Claims 10 and 24 are rejected under 35 USC 103(a) as being**

unpatentable over OrderManger (a collection of prior art describing

OrderManger cited in PTO-892, Items: W-X).

Subtracting business functionality

OrderManger teaches all the above as noted under the 102(b) rejection and

teaches a) modular "add-on" business functionality for commerce web sites

supporting evolving business requirements, and b) selecting "add-on" modules

and optional "add-on" modules (e.g. product configurator) to support incremental

phase-in of functionality over time (please note examiner's interpretation: other

"add-on" modules are independent from "add-on" modules that are optional, the

combination of "add-on" and optional "add-on" comprising the total set of

business modules available) (Item: W, see at least pages 1-2). OrderManger,

however, does not disclose subtracting business functionality. It would have been

obvious to one of ordinary skill in the art at time of the invention to facilitate the

removal of modular business functionality, since it is well within the skill to

ascertain that as business requirements evolve, one or more existing "add-on"

business modules may no longer be required.

6.   **Claims 14-15 are rejected under 35 USC 103(a) as being unpatentable
over OrderManger (a collection of prior art describing OrderManger cited in
PTO-892, Items: W-X).**

OrderManger teaches all the above as noted under the 102(b) rejection and

teaches OrderManger providing user features to customize the "look and feel" of

the web interface, but do not disclose specific customization features (e.g. logos,

media, titles). It would have been obvious to one of ordinary skill at time of the

invention to disclose customization features, since it is well within the skill to

ascertain that logos, media, and color contribute to a web site's "look and feel."

7.   **Claims 18-19 are rejected under 35 USC 103(a) as being unpatentable
over OrderManger (a collection of prior art describing OrderManger cited in
PTO-892, Items: W-X), in view of Tech Data (a collection of prior art
describing Tech Data's extranet, PTO-892, Items: U-V).**

Site Builder Module

OrderManger teaches all the above as noted under the 102(b) rejection and

teaches a) conducting business up and down the supply chain using an extranet,

b) implementing business module functionality, and c) providing a third-party

front end (Item: X, page 8), but does not disclose a site builder module. Tech

Data teaches all the above as noted under the 103(a) rejection and teaches

creating a web site for a reseller connected to Tech Data's extranet and providing

the reseller's "look and feel" (e.g. reseller logo) (Item: U, see at least page 2).

Therefore it would have been obvious to one of ordinary skill at time of the

invention to modify the system of OrderManger to provide site builder

functionality as taught by Tech Data, in order to assist partners in connecting to

an extranet, and thereby increase sales revenue.

Second set of business modules

OrderManger and Tech Data teach all the above as noted under the 103(a)

rejection and teach a site builder module to allow a partner to build a company-

user approved web site, but do not disclose a second set of business modules. It

would have been obvious to one of ordinary skill in the art at time of the invention

to disclose a second set of business modules, since it is well within the skill to

ascertain that selling directly to end-users requires different business functionality

(e.g. reseller's cost from distributor versus end-user's price from reseller).

8.   **Claims 26-27, 29-35, and 37-38 are rejected under 35 USC 103(a) as**

being unpatentable over OrderManger (a collection of prior art describing

OrderManager cited in PTO-892, Items: W-X).

OrderManger teaches OrderManger transforming traditional order processing

into a complete electronic channel linking supply chain partners, resellers, and

customers to information in the company-user's back office systems (Item: X,

page 6). OrderManger further teaches:

- *A system foundation:* application server interacts with web browsers, see

  system diagram (Item: X, page 8).

- *Interface between web browsers and business modules:* see system

  diagram (Item: X, page 8).

- *Adding or subtracting business modules:*

     OrderManger teaches all the above as noted under the 103(a)

  rejection and teaches modular "add-on" business functionality for

  commerce web sites supporting evolving business requirements, selecting

  "add-on" modules and optional "add-on" modules (e.g. product

  configurator) to support incremental phase-in of functionality over time

  (please note examiner's interpretation: other "add-on" modules are

  independent from "add-on" modules that are optional, the combination of

  "add-on" and optional "add-on" comprise the total set of business modules

  available) (Item: W, see at least pages 1-2), but does not disclose

  subtracting business functionality. It would have been obvious to one of

  ordinary skill in the art at time of the invention to facilitate the removal of

  modular business functionality, since it is well within the skill to ascertain

  that as business requirements evolve, one or more existing "add-on"

  business modules may no longer be required.

- *Interacts with a datastore:* see system diagram (Item: X, page 8).

- *Common resources:* see system diagram (e.g. messaging and transaction services) (Item: X, see at least page 8).

- *Customizable Interface for user "Look and Feel":* "Out-of-the Box" user interface template giving enterprises two different options for branding the look and feel of their application (Item: W, see at least page 2).

9. **Claims 28, 36, 40, and 42 are rejected under 35 USC 103(a) as being unpatentable over OrderManager (a collection of prior art describing OrderManager cited in PTO-892, Items: W-X), in view of Gauthier et al. (PTO-892, Item: WW).**

OrderManger teaches all the above as noted under the 103(a) rejection and further teaches an application server that hosts OrderManager using Java object-oriented programming (Item: W, see at least page 2; Item: X, see at least page 6, "Search Catalog", and page 8), but does not disclose specifics on storing object parameters to invoke a specific business module or instantiating an object. Gauthier et al. teach object-oriented programming fundamentals and issues pertaining to user-defined categories of domain object. Gauthier et al. further teach the concept of objects, instantiating objects, and passing and storing object parameters (Item: WW, see at least pages 1-2 and 7-8). Therefore it would have been obvious to one of ordinary skill in the art at time of the invention to disclose object parameter storing and instantiating objects as taught by Gauthier et al., in order to more clearly convey how business module functionality is invoked.

Pertaining to Claims 40 and 42

Method claims are rejected based on the same rationale as noted above.

10.   **Claim 43 is rejected under 35 USC 103(a) as being unpatentable over OrderManger (a collection of prior art describing OrderManager cited in PTO-892, Items: W-X).**

OrderManger teaches all the above as noted under the 102(b) rejection and teaches HTML (Hypertext Markup Language) documents, but do not disclose receiving data in XML format. It would have been obvious to one of ordinary skill in the art at time of the invention to disclose XML (Extensible Markup Language) format, since it is well within the skill to ascertain that use of the newer standard (XML) provides greater flexibility in presenting and organizing information over the older HTML standard, and thereby attract customers to the service.

11.   **Claims 47-71 are rejected under 35 USC 103(a) as being unpatentable over OrderManger (a collection of prior art describing OrderManger cited in PTO-892, Items: W-X), in view of Tech Data (a collection of prior art describing Tech Data's extranet, PTO-892, Items: U-V), further in view of Business Wire (PTO-892, Item: UU, hereinafter referred to as "BW").**

OrderManger teaches the OrderManger application server for extranet commerce that transforms traditional order processing into a complete electronic channel. OrderManger teaches linking supply chain partners, resellers, and

customers (end-users) via an extranet to information in the company-user's back office systems (Item: X, page 6). OrderManger further teaches modular business functionality as noted below:

- *Catalog module:* (Item: X, page 8).

- *Transact module:* Order/account management (Item: X, page 8).

- *Build module:* Product configurator that helps users pick the right products to build a complementary grouping of inter-connected items (Item: W, page 2).

- *Compare module:* multi-vendor catalog and search (Item: W, page 2).

- *Finance module:* Order/Account management, Payment process (Item: X, page 8).

- *Computer Readable Medium:* OrderManager software executed on application server (please note examiner's interpretation: OrderManager software installed on the application server requires computer readable medium for execution (Item: X, page 8).

- *Electronic signals:* (please note the examiner's interpretation: the OrderManager system diagram depicts top-level connectivity between the Internet and remote clients that conveys the transmission of information embodied in electronic signals) (Item: X, page 8).

- *Displaying information:* please note the examiner's interpretation: the application server serves web pages to the client machines to display information pertinent to the requested functionality.

OrderManger teaches all the above as noted under the 103(a) rejection and teaches business module functionality, but does not disclose other business module functionality. Tech Data teaches an Internet website that allows computer resellers to shop online and place orders using Tech Data's extranet (Item: U, see at least page 1). Tech Data further teaches:

- *Assess functionality:* determines product compatibility and picks system components for the reseller (Item: U, page 2).

- *Promote functionality:* provides promotions specific to the reseller (Item: U, page 2).

- *Locate functionality:* Brazil (Item: V, page 1).

- *Site builder functionality:* (Item: U, page 2).

- *Loyalty functionality:* reseller or customer-specific pricing and promotions (Item: U, page 2).

- *Finance functionality:* arranging a line of credit (Item: U, page 2).

Therefore it would have been obvious to one of ordinary skill in the art at time of the invention to modify the system of OrderManger to implement additional business module functionality as taught by Tech Data, in order to attract resellers and end-users to the extranet service, and thereby increase sales.

OrderManger and Tech Data teach all the above as noted under the 103(a) rejection and teaches business module functionality, and resellers and customers conducting commerce over an extranet, but do not disclose sales lead business module functionality. BW teaches functionality designed to facilitate web-based

sales, and further teaches automating the capture of sales leads and distributing sales leads via an extranet to resellers (Item: UU, see at least page 2). Therefore it would have been obvious to one of ordinary skill in the art at time of the invention to modify the system of OrderManger and Tech Data to implement sales lead management as taught by BW, in order to efficiently distribute sales leads to resellers, and thereby increase sales.

Pertaining to Claims 63-65

Method claims are rejected based on the same rationale as noted above.

Pertaining to Claims 66-68

Computer readable medium claims are rejected based on the same rationale as noted above.

Pertaining to Claim 69

Signal claim is rejected based on the same rationale as noted above.

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure:

- US 6,332,135 (Conklin et al.) 18 December 2001; teach web commerce community connected over an extranet featuring web site creation using templates.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to **Mr. Robert M. Pond** whose telephone number is 703-605-4253. The examiner can normally be reached Monday-Friday, 8:30AM-5:30PM Eastern.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, **Mr. Vincent Millin** can be reached on 703-308-1065. Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the **Receptionist** whose telephone number is **703-308-1113**.

Any response to this action should be mailed to:

> *Commissioner of Patents and Trademarks*
>
> *Washington D.C. 20231*

or faxed to:

> **703-872-9306** (Official communications; including After Final communications labeled "Box AF")

Hand delivered responses should be brought to Crystal Park 5, 2451 Crystal

Drive, Arlington, VA, 7th floor receptionist.

Robert M. Pond
Patent Examiner
March 18, 2004